

REMARKS

Claims 7-28 are pending in the current application. Claims 7, 15, 19 and 22-24 are independent claims. New, dependent claims 25-28 have been added by this Amendment.

Allowable Subject Matter

Initially, Applicant appreciates the Examiner's indication that claims 11-13, 16-18 and 20-21 would be allowable if rewritten into independent form. Applicant notes that previously presented dependent claim 20, indicated as allowable by the Examiner, is directed to a buffer limitation where channel delay is inserted by controlling a buffer. Applicant directs the Examiner to the amendments to each of the independent claims which presently recite a version of the allowable buffer limitation. In view of the present amendments, Applicant respectfully submits that all claims are allowable in their present form.

35 U.S.C. § 103 (a) Sen and Kuusinen

Claims 7-10, 15, 19 and 22-24 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sen in view of Kuusinen. Applicant respectfully traverses this art grounds of rejection.

Initially, Applicant agrees with the Examiner in that "Sen et al. do[es] not disclose [an] increase [to] a length of time required for time out and [a] decrease [to] a number of ramp up times" (see page 3 of the Office Action). It is further clear from a review of Sen that Sen does not disclose or suggest using a buffer to control delay. The Examiner seeks to combine Kuusinen with Sen to overcome the Examiner acknowledged deficiency of Sen as discussed above.

A review of the Kuusinen reference, as discussed in the Applicant's response filed on July 18, 2005, reveals that Kuusinen delays communication by selecting a retransmission

timeout value selector operable to alter operation of a timer 52 (see column 8, lines 5-9 of Kuusinen). Thus, Kuusinen discloses delaying transmission based on adjusting a timer or counter, and not through buffer control.

In view of the above remarks, Applicant respectfully submits that the combination of Sen and Kuusinen cannot disclose or suggest “inserting a channel delay for the plurality of data packets by selectively controlling a buffer” as recited in independent claim 7 and similarly recited in independent claims 19 and 22-24 and/or “a buffer for inserting channel delay into at least one of the plurality of data packets” as recited in independent claim 15.

As such, claims 8-10, dependent upon independent claim 7, are likewise allowable over the combination of Sen and Kuusinen at least for the reasons given above with respect to independent claim 7.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. § 103 (a) Sen in view of Kuusinen further in view of Riihinien

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sen in view of Kuusinen and further in view of Riihinien. Applicant respectfully traverses this art grounds of rejection.

Initially, as discussed above, the combination of Sen and Kuusinen cannot disclose or suggest “inserting a channel delay for the plurality of data packets by selectively controlling a buffer” as recited in independent claim 7. A review of Riihinien includes deficiencies similar to those above described with respect to the combination of Sen and Kuusinen.

As such, Applicant respectfully submits that the combination of Sen in view of Kuusinen and further in view of Riihinien cannot disclose or suggest “inserting a channel delay for the plurality of data packets by selectively controlling a buffer” as recited in

independent claim 7. As such, claim 14, dependent upon independent claim 7, is likewise allowable over the combination over Sen in view of Kuusinen and further in view of Riihinens at least for the reasons discussed above with respect to independent claim 7.

Applicant respectfully requests the Examiner withdraw this art grounds of rejection.

Reconsideration and issuance of the present application is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 7-28 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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